

**DEPARTMENT OF EDUCATION**  
**SPECIAL EDUCATION PROGRAMS**  
**Faith School District**  
**Accountability Review - Monitoring Report 2012-2013**

**Team Members:** Roxana Uttermark, Team Leader; Joan Ray, Education Specialists; Angela Boddicker, Special Education Programs; and Dave Halverson, Transition Liaison

**Dates of On Site Visit:** February 7<sup>th</sup>, 2013

**Date of Report:** February 27, 2013

**All non-compliance must be corrected within 1 year of this report date.**

**Date Closed:**

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**Program monitoring and evaluation.**

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
  - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
  - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

**State monitoring--Quantifiable indicators and priority areas.**

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
  - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
  - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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**State enforcement -- Determinations.**

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'

- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

#### Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than

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one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

**ARSD24:05:25:04. Evaluation procedures -- General.** School districts shall ensure, at a minimum, that evaluation procedures include the following:

(7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and (8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified. Assessments of children with disabilities who transfer from one school district to another school district in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with § 24:05:25:03.01, to ensure prompt completion of full evaluations.

#### Corrective Action:

Through a review of student records and interview, the monitoring team noted that a comprehensive evaluation was not conducted in three student files reviewed.

Student:	Required Action:	Data To Be Submitted for Prong 1:	Data To Be Submitted for Prong 2:
<p>Student #3-Though the team was considering eligibility in the category of Developmental Delay, speech, and/or language, and permission was received to evaluate in the area of Language, the student was not assessed in all areas of suspected disability.</p> <p>#1, and 5- Though the team was considering eligibility in the category of Other Health Impaired, documentation of a chronic or acute health problem was not included in the evaluation.</p>	<p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p><b>Activity/Procedure:</b></p> <p>1. The district must acquire consent to conduct additional evaluation to ensure a comprehensive evaluation is completed for each category of suspected disability for each student. Evaluation reports must be written and copies provided to parents. The IEP teams must meet to determine eligibility and amend the current IEP, or write a new IEP to reflect current evaluation and eligibility data.</p>	<p>The district will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. Prior notice consent for evaluation</li> <li>2. Copies of all evaluation reports</li> <li>3. Meeting notice</li> <li>4. Eligibility document</li> <li>5. Revised or new IEP</li> </ol>	<p>The district will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. Prior notice consent for evaluation</li> <li>2. Copies of all evaluation reports</li> <li>3. Meeting notice</li> <li>4. Eligibility document</li> <li>5. New IEP</li> </ol>

		<b>Timeline for Completion: May 15th, 2013</b>	<b>Timeline for Completion: November 1, 2013</b>

**ARSD 24:05:25:12. Documentation of eligibility for specific learning disabilities.** For a child suspected of having a specific learning disability, the documentation of the determination of eligibility shall contain a statement of: (1) Whether the child has a specific learning disability; (2) The basis for making the determination, including an assurance that the determination has been made in accordance with this section; (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning; (4) The educationally relevant medical findings, if any; (5) Whether: (a) The child does not achieve adequately for the child's age or does not meet state-approved grade-level standards; and (b) The child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development;

(6) The determination of the group concerning the effects of a visual, hearing, or motor disability; cognitive disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; (7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention: (a) The instructional strategies used and the student-centered data collected; and (b) The documentation that the child's parents were notified about:

(i) The state's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided; (ii) Strategies for increasing the child's rate of learning; and (iii) The parents' right to request an evaluation; (8) If using the discrepancy model, the group finds that the child has a severe discrepancy of 1.5 standard deviations between achievement and intellectual ability in one or more of the eligibility areas, the group shall consider regression to the mean in determining the discrepancy; and (9) If using the response to intervention model for eligibility determination, the group shall demonstrate that the child's performance is below the mean relative to age or state approved grade level standards.

### Corrective Action:

Through file review of students identified as a student with a learning disability, the review team determined the district did not consistently document all required content in the process of determining eligibility under this disability.

<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
Student #1- Not all required components were completed on the eligibility document.	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance. <b>Activity/Procedure:</b> <u>Student 1:</u> (4) The educationally relevant medical findings, if any; (5) Whether: (a) The child does not achieve adequately for the child's age or does not meet state-approved grade-level standards; and (b) The child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development; (6) The determination of the group concerning the effects of a visual, hearing, or motor disability; cognitive disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; (7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention: (a) The instructional strategies used and the	The district will collect and submit to SEP the following data: 1. Meeting notice to amend the eligibility document 2. Copy of amended eligibility document for the identified student	The district will collect and submit to SEP the following data, for a student who is initially evaluated or reevaluated with a Specific Learning Disability: 1. Prior notice consent for evaluation 2. Copies of all evaluation reports 3. Meeting notice 4. Eligibility document 5. New IEP

	student-centered data collected;		
		<b>Timeline for Completion:</b> <b>May 15<sup>th</sup> , 2013</b>	<b>Timeline for Completion:</b> <b>November 1<sup>st</sup> , 2013</b>

**ARSD 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include: (2) A statement of measurable annual goals, including academic and functional goals, designed to: (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and (b) Meet each of the student's other educational needs that result from the student's disability. For students with disabilities who take alternate assessments aligned to alternate achievement standards, each student's IEP shall provide a description of benchmarks or short-term objectives;

**Corrective Action:**

Though file review, the team determined the district does not adequately complete all areas of the Individualized Education Plan (IEP) for all students. Goals were not developed to provide educational benefit to the student, more specifically in the area of eligibility.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
Student #1, 4, and 5- Student was found eligible but did not have a goal in the area of eligibility	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.  <b>Activity/Procedure:</b> 1. The IEP team is to meet and amend the student's IEP to include, at a minimum, one goal in each area of eligibility.	The district will collect and submit to SEP the following data: 1. Meeting notice to amend the IEP 2. Copy of amended IEP	The district will collect and submit to SEP the following data: 1. All evaluation reports for an initial or reevaluation 2. IEP developed
		<b>Timeline for Completion:</b> <b>May 15<sup>th</sup> , 2013</b>	<b>Timeline for Completion:</b> <b>November 1<sup>st</sup> , 2013</b>

**24:05:17:03. Annual report of children served.** In its annual report of children served, the department shall indicate the number of children with disabilities receiving special education and related services on December 1 of that school year; For the purpose of this section, a child's age is the child's actual age on the date of the child count, December 1.

The department may not report a child under more than one disability category.

**Corrective Action:**

A student was reported on child count under the disability category of Other Health Impaired (555). The December 1, 2011 child count did not report accurate information on eligible children to the Office of Data Collection.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.  <b>Activity/Procedure:</b>	The district will collect and submit to SEP the following data: 1. A copy of the procedures	The district will collect and submit to SEP the following data: 1. The district must submit

	The district must develop child count procedures to assure accurate child count information is submitted to the Office of Data Collection.	must be submitted.	the IEP cover page for all students on their December 1, 2013 child count.
		<b>Timeline for Completion:</b> May 15 <sup>th</sup> , 2013	<b>Timeline for Completion:</b> December 20 <sup>th</sup> , 2013

### State Performance Plan – Performance Indicators

**Indicator 3:** Participation and Performance on Statewide Assessments: Participation and performance of children with disabilities on Statewide Assessments.

**A)** Did the district meet the State's AYP (Annual Yearly Progress) objective for the students with disabilities subgroup in the statewide assessment?

**State Target: 100%**

**District Rate:** \_\_\_\_\_ **100%** \_\_\_\_\_

District Response: Consistent professional development for all teachers to disaggregate data, set goals, and implement standards. Alignment of curriculum to state standards.

**C)** Did the district meet the proficiency target for the subgroup of students with disabilities in the statewide assessment?

**Grades K –8**

**State Target 76% or higher**

**District Rate:** \_\_\_\_\_ **40%** \_\_\_\_\_

District Response: District will continue to analyze data to determine areas to meet individual needs, RTI implementation will assist targeted needs, standards assessment to Common Core, teaching strategies will be diversified for individual needs.